

**TREMONTON CITY CORPORATION
CITY COUNCIL MEETING
March 3, 2015**

Members Present:

Diana Doutre

Lyle Holmgren

Jeff Reese

Bret Rohde

Byron Wood

Roger Fridal, Mayor – left at 6:05 p.m., returned at 6:20 p.m.

Shawn Warnke, City Manager – left at 6:20 p.m.

Darlene S. Hess, Recorder

CITY COUNCIL WORKSHOP

Mayor Fridal called the March 3, 2015 City Council Workshop to order at 6:00 p.m. The meeting was held in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Those in attendance were Mayor Fridal, Councilmembers Doutre, Holmgren, Reese, Rohde, and Wood, City Manager Shawn Warnke and Recorder Darlene S. Hess. The following Department Heads were also present: City Attorney Dustin Ericson (left at 6:40 p.m.), Public Works Director Paul Fulgham, Librarian Kim Griffiths, and Police Chief David Nance.

1. Review of agenda items on the 7:00 p.m. Council Meeting:

Mayor Fridal was excused at 6:04 p.m. and Mayor Pro-tempore Reese took over.

Motion by Councilmember Doutre to move into Closed Session by the unanimous affirmative vote of the Council. Motion seconded by Councilmember Rohde. Roll Call Vote: Councilmember Doutre – aye, Councilmember Holmgren – aye, Councilmember Reese – aye, Councilmember Rohde – aye, Councilmember Wood – aye. Motion approved.

The Council moved into closed session at 6:04 p.m.

2. **Closed Session.**

- a. **Strategy session to discuss pending and/or reasonably imminent litigation.**

No ordinance, resolution, rule, contract, or appointment was approved during the closed session.

Motion by Councilmember Doutre to return to open meeting. Motion seconded by Councilmember Holmgren. Roll Call Vote: Councilmember Doutre – aye, Councilmember Holmgren – aye, Councilmember Reese – aye, Councilmember Rohde – aye, Councilmember Wood – aye. Motion approved.

The Council returned to open session at 6:10 p.m.

3. The Council reviewed the March 3, 2015 Agenda with the following items being discussed in more detail:

Eagle Project – Kevin Harris. Councilmember Holmgren stated that scout Kevin Harris asked to be on the agenda this evening discussing his Eagle Project. The Project will be to lay gravel to control the weeds on the south side of the Genealogy Library by Bear River Middle School. The original plan was to use a chemical, but it could have gone under the fence and killed the trees and plants on the other side. The new plan is to put down gravel and possibly some kind of barrier. Mr. Harris will be working with Director Fulgham on the details. Director Fulgham stated that weeds will still grow with a barrier and gravel. The best thing to do would be to put down concrete. Director Fulgham has the funds available, but needs direction from the Council before proceeding.

Councilmember Reese asked if it would be beneficial for Mr. Harris to go to all the work for his Eagle Project, if the City will be putting in concrete. Director Fulgham noted Mr. Harris can still do the labor to level it and remove the weeds in preparation for the concrete; however, Director Fulgham is unsure if it will be enough hours for his Eagle Project.

Warrant Register. Councilmember Rohde would like to see more details on the Warrant Register before signing. The January 2015 Warrant Register is fine, but in the future Recorder Hess has agreed to provide Councilmember Rohde with a detailed description of each line item.

Manager Warnke left and Mayor Fridal returned at 6:20 p.m.

Ordinance No. 15-03. Director Fulgham wondered if Ordinance No. 15-03 should specify that water restrictions would be for outdoor watering. Restrictions would not be placed on indoor and industrial use. If restrictions were enforced for industrial use, the businesses would have to cut back on production and workers would affect the City's economy. Councilmember Holmgren liked the explanation that the water restrictions were for outdoor use. While reading Ordinance No. 15-03, it felt like a large burden was placed on homeowners. Director Fulgham noted that 65-70% of the water use in summer is outdoor use. Councilmember Reese noted that any restrictions would be spelled out in the wording of the Proclamation. The Council would like to specify that the restrictions would be for outdoor use only. Councilmember Holmgren questioned why Ordinance No. 15-03 (in paragraph 2) says any person, his family, servants, or agents and wondered if there a legal reason for saying servants. The City could offer education on how often to water lawns.

Attorney Ericson commented there could be a situation sometime in the future when the City might need to limit water for indoor use also. The Proclamation could spell out all the details regarding water restrictions. The Council should keep the option open and not

limit the City by adding the wording outdoor use only. There is State Code that would specify action taken in times of emergency, such as a pump breaking or bacteria found in the water supply. The State Code is referenced in Ordinance No. 15-03. Ordinance No. 15-03 would apply only to scarcity of water. Director Fulgham would be aware of any shortages ahead of time.

Resolution No. 15-06. Councilmember Dautre noted it looks like a lot of work. Librarian Griffiths and Librarian Rasmussen from Garland stated it has been a lot of work, but it will be great once it is complete.

Resolution No. 15-07. Director Fulgham explained that when developments are built around existing Treatment Facilities, the residents start to complain about the smell and cities generally have a lot of expenses associated with remedying the problem. This Resolution is a proactive approach that would notify anyone looking at building or developing around Tremonton's Treatment Facility that the location is within close proximity to an Industrial Protection Area. The City created an Industrial Protection Area a few years ago for the Compost site in Box Elder County.

Attorney Ericson noted that part of Elwood comes close to the Wastewater Treatment Facility. The Industrial Protection Area would also give notification to people looking to build in Elwood close to the Treatment Facility that it was part of an Industrial Protection Area.

Attorney Ericson stated that a proposal will be presented to Tremonton's Planning Commission and the County's Industrial Protection Advisory Board. Once the Planning Commission and Advisory Board review the City's application, the City can continue with the process.

Attorney Ericson left at 6:40 p.m.

The meeting adjourned at 6:41 p.m. by consensus of the Council.

CITY COUNCIL MEETING

Mayor Fridal called the March 3, 2015 City Council Meeting to order at 7:01 p.m. The meeting was held in the Tremonton City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Those in attendance were Mayor Fridal, Councilmembers Dautre, Holmgren, Reese, Rohde, and Wood, and Recorder Darlene S. Hess. The following Department Heads were also present: Public Works Director Paul Fulgham, Librarian Kim Griffiths, and Police Chief David Nance. City Manager Shawn Warnke was excused as he was presenting a proposed Interlocal Agreement to the Box Elder County Mosquito Abatement's governing board for the Tremont Center Community Development Area.

1. Opening Ceremony:

Mayor Fridal informed the audience that he had received no written or oral request to participate in the Opening Ceremony. He asked anyone who may be offended by listening to a prayer to step out into the lobby for this portion of the meeting. The prayer was offered by Mr. Neil Harris and the Pledge of Allegiance was led by Mr. David Deakin.

2. Introduction of guests:

Mayor Fridal welcomed all in attendance and thanked Mr. Deakin, a previous City Council Member, for coming.

3. Approval of Agenda:

Mayor Fridal asked if there were any changes or corrections to the Agenda. No comments were made.

Motion by Councilmember Reese to approve the agenda of March 3, 2015. Motion seconded by Councilmember Wood. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

4. Approval of minutes – February 17, 2015:

Mayor Fridal asked if there were any changes to the minutes. There were no comments.

Motion by Councilmember Doutre to approve the minutes of February 17, 2015. Motion seconded by Councilmember Reese. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

5. Public comments: Comments limited to three minutes:

There were no public comments.

6. Request(s) to be on the agenda

a. Eagle Project – Kevin Harris

Mr. Kevin Harris thanked the Council for listening to his Eagle Project proposal. The strip of property behind the Seminary Building and the Genealogy Library (across from Bear River Middle School) has not been maintained and several people in Mr. Harris's neighborhood have complained about it. It doesn't look very nice and the weeds have stickers that get stuck in clothing and animal fur and can cause flat tires. The weeds also blow seeds that will spread through the City. Mr. Harris proposes that he clean up the weeds and garbage in preparation for the City to lay concrete and stop the growth of weeds. Mr. Harris asked the Council

for support of his proposed Eagle Project.

Councilmember Holmgren thinks it is a good idea and asked Mr. Harris if he can level it out a little. Mayor Fridal asked how big the area in question is. Mr. Harris noted it was about forty cubic yards. The measurements are 526'4" long. Mr. Neil Harris, Kevin's father, stated it is six feet wide. Councilmember Holmgren would like Mr. Kevin Harris to get the area cleaned up and level. Councilmember Doutre commented that Mr. Kevin Harris presented his topic very well. The Council is glad to have the work done and wishes Mr. Kevin Harris the best with his Eagle Project. Councilmember Reese told Mr. Kevin Harris that he is awesome.

Mayor Fridal appreciates the idea, but wonders if it will need to be put on the agenda. Director Fulgham noted that the funds are available in his budget for sidewalks. It will cost about \$4K for the concrete. Director Fulgham only needs direction from the Council to get the job done. Councilmember Wood congratulated Mr. Kevin Harris on getting his Eagle. The Council agreed that it would be a good project and directed Director Fulgham to proceed with the concrete once the strip of land is ready. Mayor Fridal thanked Mr. Kevin Harris for his time.

7. New Council Business:

- a. Discussion and consideration of approving the January 2015 Warrant Register.

Motion by Councilmember Holmgren to approve the January 2015 Warrant Register. Motion seconded by Councilmember Reese. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

- b. Discussion and consideration of approving the January 2015 Financial Statement.

Motion by Councilmember Wood to approve the January 2015 Financial Statement. Motion seconded simultaneously by Councilmembers Doutre and Holmgren. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

- c. Discussion and consideration of adopting Ordinance No. 15-03 an ordinance of Tremonton City Corporation amending, adding to and deleting from Title 14. Utilities, Chapter 14-100 Water, Part 14-110 Water Department and System, 14-134. Scarcity of Water of the Tremonton City Revised Ordinances giving authority to the Mayor to sign a Proclamation instituting watering restrictions to limit the use of water

Motion by Councilmember Reese to adopt Ordinance No. 15-03. Motion seconded by Councilmember Holmgren. Roll Call Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

- d. Discussion and consideration of adopting Resolution No. 15-06 establishing the Bear River Valley Library Consortium and approving a Memorandum of Understanding between Tremonton Library and Garland Library concerning the roles and responsibilities of both libraries in creating the Bear River Valley Library Consortium

Motion by Councilmember Rohde to adopt Resolution No. 15-06. Motion seconded by Councilmember Wood. Roll Call Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

- e. Discussion and consideration of approving Resolution No. 15-07 authorizing the Mayor's signature and authorizing City staff to take all necessary steps to submit an Industrial Protection Area Application to Box Elder County for parcels 05-187-0002; 05-187-0009; and 05-186-0042 currently used for the City's Wastewater Treatment Facilities and Public Works Complex

Mayor Fridal asked how big of an area the three parcels comprise. Director Fulgham responded that it is approximately five acres. Councilmember Doutre is very glad the City is taking a proactive stand on this before there is any trouble. It will save problems down the road. Director Fulgham noted that new development could bring homes closer to the Treatment Facility and people could file a suit against the City regarding the smell associated with a Treatment Facility. The Industrial Protection Area would help protect the City. New Developments would be notified that it is an Industrial Protection Area.

Motion by Councilmember Holmgren to adopt Resolution No. 15-07 to authorize the Mayor the sign the Industrial Protection Area Application. Motion seconded by Councilmember Doutre. Roll Call Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

8. Comments:

- a. Administration/City Manager Advice and Consent.

No advice and consent as Manager Warnke is excused.

- b. Council Reports:

No Council reports.

Director Fulgham gave an update on the 1000 North waterline project. The waterline should be complete by next week. The majority of the line is in and there is one connection that needs to be made. First, the line needs to be disinfected and pressurized. Once it has passed the bacteriological samples, the customers can be moved to the new waterline. Once all users are hooked onto the new waterline, the final connection on the West end will be connected to the new line and the old line will be abandoned. The new line is about six feet underground. The new waterline is 18" and will replace the old 10" waterline. Councilmember Reese asked if Director Fulgham is concerned about sinkage. Director Fulgham stated he is not worried, it is not that deep and there are no ground water issues.

The road project is out to bid, and the bids will be opened this Thursday. There are five plan holders at this time, but it doesn't mean all will bid. The City will be notified Friday of the lowest bidder. The bids are handled through the State. It will take four to six weeks to get all the documents signed. Construction should commence the first or middle of April. The road will be rough, but it will be open until construction starts. Once construction starts the road will be closed to thru traffic. When the road is ready to be laid, the road will be shut down completely. Councilmember Doutre noted that some people have been issued tickets for \$600 in the construction zone. Chief Nance noted they could be cited on a misdemeanor that would be \$600, but the City has been citing on an infraction which is less money. Director Fulgham commented that some people are using the canal road, which isn't a road. The road project should start mid-April and finish by June. Mayor Fridal asked when the construction of the pipe will be done. Director Fulgham stated the pipe will be done next week.

The Bear River Water Conservancy District put in a new waterline from Deweyville to Collinston. Tremonton is interconnected and can share water if there ever comes a time when it is needed. The City could supply the Bear River Water Conservancy District with water on the East side and the Bear River Water Conservancy District could supply Tremonton with water when necessary. There has, also, been a connection into the Cedar Ridge Subdivision in case there is ever a problem with the well. The Bear River Water Conservancy District could supply water in that situation. All the authorizations came through to pull water through the district line.

The Bear River Water Conservancy will be providing water to Ucon Water, which provides water to the Fielding, Riverside, and Garland area. Mayor Fridal commented that the water is being sent to Ucon Water because Ucon's water just barely exceeds the arsenic level. Director Fulgham remarked that the arsenic level is not a big concern; it is an over-precaution by the EPA.

9. Adjournment.

Motion by Councilmember Wood to adjourn the meeting. Motion seconded by

Councilmember Dautre. Vote: Councilmember Dautre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

The meeting adjourned at 7:21 p.m.

The undersigned duly acting and appointed Recorder for Tremonton City Corporation hereby certifies that the foregoing is a true and correct copy of the minutes for the City Council Meeting held on the above referenced date. Minutes were prepared by Cynthia Nelson.

Dated this _____ day of _____, 2015.

Darlene S. Hess, Recorder